

**Real Estate, Like New Lawn Tractors and Attachments, Tools and Personal Property Auction!**  
**Structurally sound Ranch on a 1.13 acre lot located in Owego, NY (Tioga County)**  
**Saturday, October 30th., 2021 @ 10:00 am. \* preview begins at 9:00 a.m.**  
**428 State Route 96, Owego, NY 13827**  
**Auction for the Estate of David F. Lewis**

**Open House:** Wednesday October 27th, 2021 from 4:00-5:00 pm and 1 hour prior to the auction.

**Real Estate:**

**Main Floor:**

- living room
- kitchen with appliances(appliances are like new)
- dining room
- 2-3 bedrooms
- 1 ½ bathrooms
- nice addition with view of private backyard(the addition has a Regency Natural Gas Stove)
- 200 amp electric in garage
- Hardwood floors
- radon pump

**Basement**

- solid block wall/concrete floor
- State Censible 510E 40 gallon H2O heater
- Burnham Series 2 by the U.S. Boiler Co. (Natural Gas)

**Outside**

- large 1.13 acre lot
- vinyl siding
- newer windows
- gutters
- 1-2 bay attached garage
- private backyard with mature trees and bushes
- handy 24'x27' out building/garage(1 bay)

**Property Information**

- Tax Map # 106.05-1-10
- Built in 1956
- ~1,640 square feet of living area / garage is ~528 sq. ft.
- Full Market Value 2022 Tentative = \$156,667
- Property class: 210 one family res
- Candor School District
- Taxes: Contact the Assessor and School for approximate taxes without exemptions! Extras may include Tioga fire and Candor sch lib tax.
- electric, Natural gas and hot water steam
- Private water and sewer

**Standard Real Estate Auction Terms:**

10% buyer's premium added to final bid to equal the total purchase price. 20% down on the day of auction, with the remainder due at closing within 30-45 days. 20% down payment must be in certified form. Time is of the essence. Executor's/Administrator's Deed. Property sells "As Is, Where Is." All tests and inspections must be done prior to auction day. All statements at auction take precedence over any printed material. Real Estate to be sold free and clear with NO liens, NO back mortgages and NO back taxes owed! Auctioneer agency represents only the sellers. Lead paint may exist.

Another professional auction conducted by.....

**Z and R Auction Co.**

**NYS's Family Auction Team**

**4716 NYS Route 41**

**Cortland, NY 13045**

**Office: 607-745-7375**

**[www.zandrauctions.com](http://www.zandrauctions.com) "EVERYTHING WE TOUCH TURNS TO SOLD"**

**Brent J. Zogg and Carl Zogg Auctioneers & Sale Managers**

### **Sale Information and Procedures**

Prospective bidders should take an opportunity to inspect the property (signs posted) prior to the Auction and obtain an information packet that has been prepared for the sale. It is the bidder's responsibility to have their attorney review the pertinent documents (purchase offer, deeds, etc.) and, if necessary, make arrangements for financing of the property with their financial institution.

At the auction:

- Obtain a bidder number by registering with the clerk and show proper identification.
- The Auctioneer will open the Auction by announcing the terms and conditions of the real estate to be offered. The properties will be sold subject to owner's approval.
- Once bidding activity is completed, a purchase offer will be prepared in the amount of the final purchase price and it will be signed.
- The successful bidder will be required to pay the 20% as down payment.
- ALL real estate will be sold in "AS IS, WHERE IS" condition.

Conditions of sale:

- All dimensions/descriptions are based upon information supplied to the Auctioneer. Prospective purchasers should inspect the property and review all pertinent documents and information prior to sale.
- Please be reminded that this is an Auction. Any offer written and accepted by the Seller(s) is the winning bid.

Possession:

- Possession of the property will be at Closing, within 45 days of the Auction.

Agency:

- Z and R Auction Co. (Brent J. Zogg, broker) and representatives are exclusive agents of the seller(s).

Deposit/Terms on Real Estate:

- A purchase offer will be prepared at the close of the auction. A deposit is required by CASH, PERSONAL CHECK or CERTIFIED CHECK only. Make checks payable to Z and R Auction Co. 10% buyer's premium added to final bid to equal the Total Purchase Price. 20% of the Total Purchase Price down on the day of auction, with the remainder due at closing within 45 days. Time is of the essence. Buyer must close within 45 days. Executor's/Administrator's Deed. Property sells "AS IS, WHERE IS". All tests required must be done prior to auction day. Real estate to be sold free and clear with NO liens, NO back mortgages and NO back taxes owed! Auctioneer agency represents only the seller(s). Lead paint may exist.

Z and R Auction Co. Real Estate Bidder Packet Disclaimer:

- The following real property information is provided to you as a matter of convenience only, and no representation or warranty, expressed or implied, is made as to its accuracy or completeness. Prospective purchasers of the auction property are responsible for conducting such due diligence as they deem appropriate, prior to bidding at the auction sale. All information contained within this Property Information Packet was derived from reliable sources and is believed to be correct, but is not guaranteed. Buyers shall rely entirely on their own judgment and inspection. Announcements from the Auction Block will take precedence over any previously printed material or any other oral statements made.

BIDDER'S CERTIFICATION FOR REAL ESTATE

By signing this Certification and returning it in exchange for a bidder number, I hereby certify that:

- 1. I understand that Z and R Auction Co., Real Estate is an exclusive agent of the seller(s).
- 2. I have received an Information Packet containing a SAMPLE offer to purchase.
- 3. I understand that the Auction rules will be strictly enforced and there will be NO exceptions.
- 4. If I am the successful bidder, I will be asked to sign a Purchase Offer and make the required deposit immediately upon the conclusion of the Real Estate portion of the auction.
- 5. I currently have sufficient funds to meet the deposit requirements as called for by the Purchase Offer.
- 6. I understand that the property will be sold to the highest bidder, subject to owner confirmation.
- 7. I have personally inspected the real estate being offered at Auction and agree to accept the property in the condition I find it as of this date. I understand that any testing needed must be conducted prior to the day of the Auction. If there is anything concerning the condition of the property that I do not understand or on which I require further explanation, I will ask PRIOR to the bidding. My question and the answer may be recorded as part of the open Forum portion of the Auction presentation.
- 8. I understand completely that this real estate sells "As Is, Where Is".
- 9. I understand that possession of the property shall take place at closing.
- 10. The buyer will be responsible for a new survey, if one is needed.
- 11. I understand that I will forfeit my deposit if I am unable to close the transaction.
- 12. I understand that I will be liable for the seller's attorney's fees in the event I am unable to close the transaction.
- 13. I understand that the Auctioneers reserve the right to preclude any person from bidding if there is any question, in the sole judgment of the Seller or the Auctioneers, as to such person's creditworthiness, ability or willingness to close on the purchase of the Property, credentials, fitness, etc. All decisions of the Auctioneer are final.
- 14. The time of settlement and all other times stated in this Agreement are to be of the essence.
- 15. Possession is to be delivered by Executor's/Administrator's Deed.
- 16. Risk of loss or damage to the property by fire or other casualty between the date of this Agreement and the date of settlement shall remain upon the Seller.
- 17. The sale and settlement hereunder are not contingent upon the Buyer obtaining a mortgage.
- 18. Buyer shall pay all costs of title search and title insurance, as well as Buyer's attorney fees and any other expenses incurred by Buyer.
- 19. Buyer acknowledges that the real estate is being sold at Auction and any offer written and accepted by the Seller is the final, winning bid.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: Saturday, October 30th @ 10 am

Auction for the Estate of David F. Lewis

Bidder No. \_\_\_\_\_

This is a legally binding document. Consult your lawyer if you do not understand any part of it.

### OFFER TO PURCHASE

TO THE SELLER OR PERSON WHO HAS THE RIGHT TO SELL THE PROPERTY DESCRIBED BELOW:

This agreement, made this 30th day of October 2021 by the David F. Lewis estate (Gary E. Lewis executor/administrator), hereinafter referred to as the "Seller" and \_\_\_\_\_, hereinafter referred to as the "Buyer".

PROPERTY: I (We) agree to purchase the following property situated in the county of Tioga, located at 428 State Route 96, Owego, NY 13827 known as tax map # 106.05-1-10 (for a more detailed description of the property reference is hereby made to the deed thereof) together with all lighting, heating and plumbing fixtures, window shades, screen and storm doors and windows, if any, water heater, water meter and all fixtures and fittings belonging to or used in the operation of the property and owned by you.

PRICE: At the price of \_\_\_\_\_ \$ \_\_\_\_\_  
Payable as follows:

DEPOSIT: \$ \_\_\_\_\_ cash deposited with Z and R Auction Co, Real Estate to be held until this offer is accepted, at which time it shall become part of the purchase price, or returned if not accepted.

BALANCE: \$ \_\_\_\_\_ cash on or before \_\_\_\_\_ on passing of deed.

HIGH BID: \$ \_\_\_\_\_

BUYER'S PREMIUM: \$ \_\_\_\_\_

TOTAL PURCHASE PRICE: \$ \_\_\_\_\_

#### REAL ESTATE SELLS IN "AS IS, WHERE IS" CONDITION

This agreement shall not be contingent upon any fact or occurrence.

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ESCROW: The deposit shall be held in escrow by Z and R Auction Co. and Associates Real Estate until closing and will be applied toward the total purchase price of the real estate. In the event that the Seller is unable to perform in closing the transaction, the deposit will be refunded to the Buyer. In the event that the Buyer is unable to perform in closing the transaction, the deposit will be forfeited by the Buyer and kept by the Seller. In the event that the Buyer is unable to perform in closing the transaction, the Buyer will also be liable for all attorney's fees incurred by the Seller and the Seller's agent.

BUYER'S PREMIUM: The Buyer acknowledges and understands that the buyer's premium has been earned at the time of the auction and execution of this purchase agreement.

PROPERTY SOLD AS IS: Buyer understands that the property is sold in "As Is, Where Is" condition. It is understood that the Buyer has inspected the property or hereby waives the right to do so and has agreed to purchase the property as a result of such inspection and not because of or in reliance upon any representation made by the Seller or any officer, partner or employee of the Seller, or by the agent of the Seller, or by the Seller's attorney, or any salesman or employees of the agent of the Seller, or by any cooperating broker, if any, or any of his salesman and employees, and that the Buyer agrees to purchase it in its present condition, "AS IS".

ABSTRACT of TITLE, TAX SEARCH, SURVEY: Buyer to perform survey if needed. Buyer to perform abstract of title if desired. Sellers to provide Executor's/Administrator's Deed. All dimensions are approximate and not guaranteed.

DEED: Possession is to be delivered by Executor's/Administrator's Deed.

ADJUSTMENTS: Interest, insurance premiums, rents and taxes will be prorated and adjusted as of the closing date. Time is of the essence.

POSSESSION: Possession of the premises shall be delivered on or before the closing date, on passing of the deed.

CLOSING: Transfer is to be completed at the office of either party's attorney; whichever can be mutually agreed upon. Closing will occur on or before \_\_\_\_\_. Time is of the essence. An extension may be granted in writing if both parties are in agreement.

RECORDING FEES, EXPENSES, ETC.: The Buyer shall pay any and all attorney's fees and any other expenses incurred by the Buyer. The Buyer shall pay all fees, including the cost of recording the deed and the cost of any applicable revenue stamps, and the cost of recording a release of mortgage on the property, if applicable.

LEAD PAINT: Property may contain LEAD PAINT.

RISK OF LOSS: The risk of loss or damages to the property by fire or other causes, until the delivery of the deed, is assumed by the Seller.

BINDING AGREEMENT: All sales shall be final, absolute, and without recourse and by executing this purchase agreement, the Buyer acknowledges and understands that the Auctioneer is acting as an agent for the disclosed principal.

This offer, when accepted, shall be a binding contract. It shall bind the parties hereto and their respective executors, administrators, distributees, successors and assigns.

DATED: \_\_\_\_\_ Signed: \_\_\_\_\_ (Buyer)

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_ (Buyer)

**ACCEPTANCE**

The undersigned hereby accepts this offer, agrees to sell on the terms and conditions set forth, and agrees to pay Z and R Auction Co, the authorized agent, the entire 10% buyer's premium as commission.

The deposit made or as much as covers the commission may be applied to payment of the commission.

DATED: \_\_\_\_\_ Signed: \_\_\_\_\_ (Seller)

DATED: \_\_\_\_\_ Signed: \_\_\_\_\_ (Seller)

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_ (Seller)

## **Personal Property to be Auctioned**

Make sure to check ZandRauctions.com in order to see all of the pictures

- John Deere X-300 Lawn Tractor 48" Deck Kawasaki Engine (116 hrs.)
- John Deere Lawn Sweeper
- John Deere Snow Plow Attachment
- John Deere Rototiller Attachment
- Toro push mower
- Husqvarna LGT 2654 Lawn Tractor w/ tractor tires, Kohler motor and 54" deck
- double tree and single tree yokes
- bolt bins
- Dewalt 770 3" cut 2 ¼ HP chop saw
- Central Machinery wood lathe 12" 5 sp
- Toro snow blower
- 6.5 HP YardMachine wood chipper
- Super nice antique Mahogany chest on chest
- Nice old rocker, (Maybe Mottville)
- yard wagon
- enamel top kitchen table
- 5 nice old handsaws - 2-2 person
- power tools and hand tools
- croquet set
- wooden crates
- Mid-century lamps w/fiberglass shades
- 2 antique magic lanterns w/ slides
- tv stand w/ bookshelves
- Realistic BoomBox
- Antiques caned mahogany rocker
- bed warmer
- old jug converted to lamp
- oil paintings
- old coat rack
- dressers, bed frames, headboards and bedroom side tables
- washer/dryer (Samsung/Amana)
- bookcases
- entertainment center
- Lots of old canning jars
- desks
- leather sofa bed
- leather ottoman
- VHS camera, film cameras etc.
- treadmill
- vintage kitchen table w/ 6 chairs and 2 leaves
- splint foot stool
- 2 homespun inlaid tables
- white pfaltzgraff dishes (white)
- Antique fife
- Antique crocks
- oil cans
- old wash tub
- equestrian steins
- file cabinets
- old spalding badminton set

- dome top trunk
- panoramic photos Harpursville, NY
- antique eyeglasses
- antique wagon and tractor wheels
- antique axes
- wheelbarrow
- old metal wash tubs
- apple picker
- antique pruner
- old Bibles
- beadwork miser purse
- ladders
- ceramic figurines
- hand tools
- old lanterns
- 83 pc. Set Flamingo Rose China Abilene
- bow front antique oak china cabinet
- vintage rock maple Ethan Allen living room set
- Eagle collection/figurines and plates (with certificates)
- antique barrister bookcase
- nice Seth Thomas employee award clock
- cast metal horse statues and misc.

**Check ZandRauctions.com for all pictures taken! There are many things yet to uncover so don't miss out on the auction fun!**

**Standard Personal Property Auction Terms:**

10% buyer's premium added to the final bid to equal the total purchase price. Time is of the essence. Full payment is due the day of the auction by cash, VISA, Mastercard, Discover, debit cards(3% is added to process credit cards) and checks with a bank letter of guarantee. All items sold in "As Is" condition. Subject to errors and omissions. Driver's license required for bidding number. All statements at auction take precedence over any printed material. NOTHING removed until settled for.

**Z and R Auctions Note:**

Don't miss this rare opportunity to purchase this well kept property in Central, NY. Like Z and R Auction Co.'s facebook page in order to get updates about this auction and others to come.